

**IN THE DISTRICT COURT OF GUAM
TERRITORY OF GUAM
CIVIL MINUTES
GENERAL**

CASE NO.: CV-02-00035

DATE: October 07, 2011

CAPTION: USA vs. Guam Waterworks Authority

HON. FRANCES M. TYDINGCO-GATEWOOD, Chief Judge, Presiding

Law Clerk: Kim R. Walmsley

Court Recorder: Virginia T. Kilgore

Courtroom Deputy: Virginia T. Kilgore

Electronically Recorded: 9:11 - 10:57

CSO: L. Ogo

APPEARANCES:

Counsel for Plaintiff(s)

Mikel Schwab

Fatima Ty, U.S. EPA

Robert Mullaney, U.S. EPA (via video)

Counsel for Defendant(s)

Samuel Taylor for GWA

Pat Mason for the Government of Guam

Also Present: Martin Roush, GWA General Manager

Simon Sanchez II, CUC Chairman

John Benavente, CUC General Manager

PROCEEDINGS: GWA's Objections to the Magistrate Judge's July 7, 2011 Report and Recommendation

- Parties argued their positions .
- Court to issue order.

NOTES: Others Present: See attached sheet.

<p align="center">US ATTORNEYS</p> <p>Robert D. Mullaney, US DoJ (Via VTC) Gary Hess, Ast. Regional Counsel (EPA) (Via VTC) Mikel Schwab</p>	<p align="center">GUAM WATERWORKS AUTHORITY Counsel</p> <p>Samuel J. Taylor</p>
<p align="center">U.S. EPA</p> <p>Fatima Ty, Region IX Ken Greenburg, Region IX (Via VTC) Nancy Woo (Via VTC) Barry Pollock (Via VTC) Michael Lee (Via VTC)</p>	<p align="center">GOVERNMENT OF GUAM</p> <p>Patrick Mason, Assistant Attorney General</p>
<p align="center">GUAM WATERWORKS AUTHORITY</p> <p>John Benavente, GM-Consolidated Utility Service Martin Roush, General Manager, GWA Paul Kemp, Asst. GM, Safety & Compliance, GWA Gerald Fitzgibbon, GM, Veolia Water Guam Gilda Mafnas, GWA Heidi Ballendorf, GWA Greg Cruz, GWA</p>	<p align="center">CONSOLIDATED COMMISSION ON UTILITIES</p> <p>Simon Sanchez II, Chairman Joseph T. Duenas, Treasurer</p>
<p align="center">OTHERS PRESENT</p>	<p align="center">GUAM ENVIRONMENTAL PROTECTION AGENCY</p> <p>Angel Marquez Maricar Quezon</p>